

ORIGINAL

DOCKET FILE COPY ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

RECEIVED

AUG - 7 1997

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)

)
)
)
Amendment of the Commission's Rules to)
Relocate the Digital Electronic Message)
Service from the 18 GHz Band to the)
24 GHz Band for Fixed Service)
_____)

ET Dkt. No. 97-99

To: The Commission

JOINT MOTION FOR LEAVE TO FILE SURREPLY

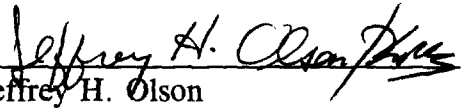
Digital Services Corporation ("DSC"), Microwave Services, Inc.
("MSI") and Teligent, L.L.C. ("Teligent," formerly Associated Communications,
L.L.C.) (collectively, the "DEMS Licensees"), by their attorneys, hereby request
leave to file a Surreply in the above-captioned proceeding, a copy of which is
submitted contemporaneously with this Motion.

Several of the Replies filed in this proceeding introduce a number
of new legal arguments and technical claims to which the DEMS Licensees
should be entitled to respond. Good cause exists for the grant of this Motion,
given that the Surreply of the DEMS Licensees responds to these new legal and

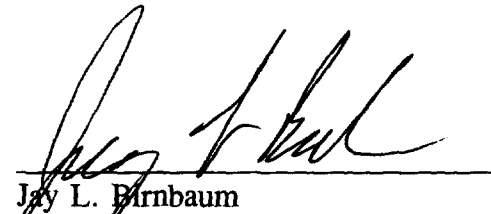
No. of Copies rec'd _____
List ABCDE

technical claims and, therefore, would afford the Commission the benefit of a complete and accurate record upon which to base its determination.

Respectfully submitted,


Jeffrey H. Olson
Robert P. Parker
Paul, Weiss, Rifkind, Wharton &
Garrison
1615 L Street, N.W.
Washington, D.C. 20036
(202) 223-7300

Counsel for
Digital Services Corporation


Jay L. Birnbaum
Antoinette Cook Bush
Anthony E. Varona
Skadden, Arps, Slate, Meagher
& Flom LLP
1440 New York Avenue, N.W.
Washington, D.C. 20005
(202) 371-7000

Counsel for
Teligent, L.L.C. and
Microwave Services, Inc.

Laurence E. Harris
David S. Turetsky
Teligent, L.L.C.
11 Canal Center Plaza,
Suite 300
Alexandria, VA 22314

Counsel for Teligent, L.L.C.

Dated: August 7, 1997

CERTIFICATE OF SERVICE

I, Kelly N. McCollian, hereby certify that on this 7th day of August, 1997, true and correct copies of the foregoing "Joint Motion for Leave to File Surreply" filed by Digital Services Corporation, Microwave Services, Inc., and Teligent, L.L.C. were served by hand delivery* or by First Class mail, postage prepaid, on the following parties:

Gerald P. Vaughan*
Wireless Telecommunications Bureau
Federal Communications Commission
2025 M Street, N.W.
Room 5002
Washington, D.C. 20554

Ruth Milkman*
International Bureau
Federal Communications Commission
2000 M Street, N.W.
Room 800
Washington, D.C. 20554

John Cimko, Jr.*
Wireless Telecommunications Bureau
Federal Communications Commission
2025 M Street, N.W.
Room 5002
Washington, D.C. 20554

Steve Sharkey*
International Bureau
Federal Communications Commission
2000 M Street, N.W.
Room 800
Washington, D.C. 20554

Chris Murphy*
International Bureau
Federal Communications Commission
2000 M Street, N.W.
Room 800
Washington, D.C. 20554

Karl A. Kensinger*
International Bureau
Federal Communications Commission
2000 M Street, N.W.
Room 800
Washington, D.C. 20554

David Horowitz*
Chief, Public Safety and Private
Wireless Division
Wireless Telecommunications Bureau
Room 8010
2025 M Street, N.W.
Washington, D.C. 20554

Lisa Higginbotham*
Public Safety and Private
Wireless Division
Wireless Telecommunications Bureau
Room 8010
2025 M Street, N.W.
Washington, D.C. 20554

Gary M. Epstein
John P. Janka
James H. Berker
Nandan M. Joshi
Latham & Watkins
1001 Pennsylvania Avenue, N.W.
Suite 1300
Washington, D.C. 20004-2505

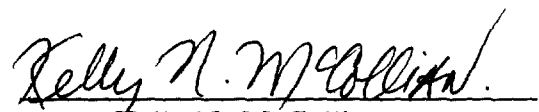
Glenn B. Manishin
Frank V. Gananelli
Stephanie A. Joyce
Blumenfeld & Cohen
Technology Law Group
1615 M Street, N.W.
Suite 700
Washington, D.C. 20036

David G. Frolio
David G. Richards
BellSouth Corporation
1133 21st Street, N.W.
Suite 900
Washington, D.C. 20036

William B. Barfield
Jim O. Llewellyn
BellSouth Corporation
1155 Peachtree Street, N.E.
Atlanta, GA 30309

Timothy R. Graham
Leo I. George
Joseph M. Sandri, Jr.
Barry J. Ohlson
WinStar Communications, Inc.
1146 19th Street, N.W.
Washington, D.C. 20036

Richard E. Wiley
R. Michael Senkowski
Eric W. DeSilva
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D.C. 20554


Kelly N. McCollian